

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. Patent No. :	6116729
Grant Date:	September 12, 2000
Title:	HEAD MAGNIFYING GLASS
Inventor:	Huang, Tsung-Hui

DECLARATION OF GEORGE CHEN

Director of the U.S. Patent and Trademark Office
Alexandria, VA

Sir:

The undersigned, being hereby warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and may jeopardize the validity of the application or any registration resulting therefrom, declares that:

1. All statements made herein of my own knowledge are true, and all statements made on information and belief are believed to be true.
2. My legal name is Chung Chin Chen, I am known as George Chen, and I am a registered patent agent, Registration No. 31725, before the U.S. Patent and Trademark Office (referred to below as the "USPTO").
3. I am an employee of the law firm Bacon & Thomas, PLLC of Alexandria, Virginia (referred to below as "Bacon & Thomas"), and was an employee during the relevant time period in 2008.
4. During the relevant time period in 2008, I communicated with Ms. Elizabeth Harris who was also known as Lissa Harris and was an employee of Bacon & Thomas.
5. During the relevant time period in 2008, Ms. Harris regularly processed the payment of maintenance fees for U.S. patents on behalf of the clients of Bacon & Thomas.
6. Talents International Patent & Trademark Office of Taichung, Taiwan (referred to below as "Talents") instructed Bacon & Thomas to pay the 7.5 years maintenance fee for U.S. Patent No. 6116729 (referred to below as "the '729 patent") in an email dated June 25, 2008, which appears as the earliest email at 3:01 AM on June 25, 2008, in the chain dated June 27, 2008 (copy attached as Exhibit GC-1).

DECLARATION OF GEORGE CHEN
U.S. Patent No. 6116729

7. I replied "Dear Miss Chen" in an email at 7:50 AM on June 25, 2008, and asked for further instructions whether to file a revocation and power of attorney, and whether to file a change of the maintenance fee address in the records of the USPTO, and I copied Ms. Harris to advise her, as shown in Exhibit GC-1.
8. I confirmed the instructions in an email at 7:54 AM on June 25, 2008, and copied Ms. Harris to advise her, as shown in Exhibit GC-1.
9. Ms. Harris sent me an email at 10:56 AM on June 27, 2008, to ask whether this case should be transferred from our client "Jason Counselling" to our client "Talents" as shown in Exhibit GC-1.
10. I advised Ms. Harris in an email at 11:10 AM on June 27, 2008, that it was okay for her to transfer the case to our client Talents in our records, and okay for her to pay the maintenance fee to the USPTO after Talents sent us "prepayment" of our invoice to Talents, as shown in Exhibit GC-1.
11. I received a copy of the email from Ms. Harris to Talents shown in Exhibit GC-2, but I did not notice that the patent number of the attachment ("U.S. 6,116,758.pdf") was different from the patent number ("6,116,729") in the subject line.
12. During the relevant time period in 2008, I was not aware of any error in the payment of a U.S. maintenance fee by Ms. Harris.

Date: October 19, 2012

Respectfully signed,



"George" Chung Chin Chen

Exhibit GC-1, page 1 of 2 pages,
to the Declaration of George Chen
for U.S. Patent No. 6116729

Page 1 of 2

Elizabeth Harris

From: George Chen
Sent: Friday, June 27, 2008 11:10 AM
To: Elizabeth Harris
Subject: RE: U.S. Patent No. 6,116,729 (Our Ref.: P-9371)

It's okay to transfer to talents, and pay when we receive prepayment.

Thanks!

From: Elizabeth Harris
Sent: Friday, June 27, 2008 10:56 AM
To: George Chen
Subject: RE: U.S. Patent No. 6,116,729 (Our Ref.: P-9371)

Hi George,

We have this case on file as drop per instruction for Jason Counselling, should we transfer this to Talents and pay?

Thanks!

Lissa

From: George Chen
Sent: Wednesday, June 25, 2008 7:54 AM
To: Talents
Cc: Elizabeth Harris
Subject: RE: U.S. Patent No. 6,116,729 (Our Ref.: P-9371)

Please click on "reply to all" to reply.

In our invoice, we will not show "late fee", we'll put it together with the "regular fee" for services and gov. fee.

From: George Chen
Sent: Wednesday, June 25, 2008 7:50 AM
To: 'Talents'
Cc: Elizabeth Harris
Subject: FW: U.S. Patent No. 6,116,729 (Our Ref.: P-9371)
Importance: High

Dear Miss Chen:

Do we need to put \$190 for transferring this case to us (Do we need to file revocation and change fee address)?

We'll e-mail you an invoice after your reply.

George

6/27/2008

Exhibit GC-1, page 2 of 2 pages,
to the Declaration of George Chen
for U.S. Patent No. 6116729

Page 2 of 2

From: Talents [mailto:talentpt@ms49.hinet.net]
Sent: Wednesday, June 25, 2008 3:01 AM
To: George Chen
Subject: Re: U.S. Patent No. 6,116,729 (Our Ref.: P-9371)
Importance: High

Re: U.S. Patent No. 6,116,729
Title: A MODIFIED HEAD MAGNIFYING GLASS
Inventor: Tsung-Hui HUANG
Our Ref.: P-9371

陳先生您好：

本案專利原代理人沒有做年費管制通知，目前狀態為滯納期間。我所客戶欲續繳第2次年費，先開立請款單並email至我所？另，請勿在請款單上顯示出"滯納金"，將滯納金額含在年費金額裡。謝謝！

如有任何疑問，敬請不吝賜教。謝謝！

首府 陳小姐

首府國際專利商標事務所

TALENTS INTERNATIONAL PATENT & TRADEMARK OFFICE

台灣40247台中市南區復興路三段360-4號3樓

FL. 3, No. 360-4, Sec. 3, Fuhsing RD., South Dist., Taichung 40247, Taiwan.

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FAX: 886-4-2220-1166

E-mail : talentpt@ms49.hinet.net

6/27/2008

Exhibit GC-2, page 1 of 2 pages,
to the Declaration of George Chen
for U.S. Patent No. 6116729

Page 1 of 2

Elizabeth Harris

From: Elizabeth Harris
Sent: Saturday, June 28, 2008 1:48 PM
To: 'talentpt@ms49.hinet.net'
Cc: George Chen
Subject: U.S. Patent No. 6,116,729 (Our Ref.: P-9371)
Attachments: U.S. 6,116,758.pdf

Dear Ms. Chen,

Further to Mr. George Chen's emails, attached is our instruction acknowledgement and invoice for payment of the 7.5 year maintenance fee for the above referenced US patent. The original will follow via airmail.

Should you need anything further please do not hesitate to contact me.

Best regards,

Lissa Harris
Bacon & Thomas PLLC
Fourth Floor
625 Slaters Lane
Alexandria, Virginia 22314
Tel: (703) 683-0500
Fax: (703) 683-1080
Email: lharris@baconthomas.com

VERY IMPORTANT: Send cc to mail@baconthomas.com of any e-mail that relates to a deadline or requires docketing in the event that I am out of the office.

2) Be certain that Bacon & Thomas, PLLC, expressly acknowledges taking responsibility for any deadline or case.

3) Consider encrypting any confidential information.

From: Talents [mailto:talentpt@ms49.hinet.net]
Sent: Wednesday, June 25, 2008 3:01 AM
To: George Chen
Subject: Re: U.S. Patent No. 6,116,729 (Our Ref.: P-9371)
Importance: High

Re: U.S. Patent No. 6,116,729
Title: A MODIFIED HEAD MAGNIFYING GLASS
Inventor: Tsung-Hui HUANG
Our Ref.: P-9371

陳先生您好：

本案專利原代理人沒有做年費管制通知，目前狀態為滯納期間。我所客戶欲續繳第2次年費，先開立請款單並email至我所？另，請勿在請款單上顯示出"滯納金"，將滯納金額含在年費金額裡。謝謝！

6/28/2008

Exhibit GC-2, page 2 of 2 pages,
to the Declaration of George Chen
for U.S. Patent No. 6116729

如有任何疑問，敬請不吝賜教。謝謝！

首府 陳小姐

首府國際專利商標事務所

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